



**TENNESSEE HUMAN RIGHTS COMMISSION**  
**CENTRAL OFFICE**  
CORNERSTONE SQUARE BUILDING, SUITE 305  
530 CHURCH STREET  
NASHVILLE, TENNESSEE 37243-0745  
(615) 741-5825 FAX (615) 253-1886  
[www.state.tn.us/humanrights](http://www.state.tn.us/humanrights)

**October 5, 2007**  
**Board of Commissioner's**  
**Meeting Minutes**

**Commissioner's Present:**

Commissioner Davis  
Commissioner Hakeem  
Commissioner Jones  
Commissioner Osborne  
Commissioner Pierce  
Commissioner Smith  
Commissioner Rogers (via Phone)  
Commissioner Starling  
Chairman Wiggins

**Commissioner's Absent:**

Commissioner Blalock  
Commissioner Cocke  
Commissioner Garrett  
Commissioner Horne  
Commissioner Pride  
Commissioner Walker

**Staff Present:**

Beverly Watts, Executive Director  
Shay Rose, General Counsel  
Tiffany Baker Cox, Deputy Director  
Robert Bright, Housing Director  
Esperanza Soriano, Communications Director  
Lisa Lancaster, Executive Director's Assistant

**Guests:**

Phillip Cordell, Spanish TV

**Call to Order & Invocation**

Chairman Wiggins called the meeting to order at 10:40 a.m. Commissioner Jones offered the invocation. Roll call was taken.

**Approval of Minutes**

The minutes of the May 18, 2007 board meeting were reviewed. Commissioner Hakeem made a motion to accept the minutes. Commissioner Pierce seconded the motion. A vote was taken and passed.

**Executive Director's Report**

Chairman Wiggins introduced the board to Executive Director Beverly Watts who thanked the board for putting her in this seat and noted that over the next 90 days she would be meeting with each Commissioner in an effort to get to know them and identify their goals for this commission.

Director Watts noted that she has met with several legislators and that the Response to the Performance Audit is complete and submitted, the 08-09 Budget planning has begun, and the preparations for finding a new building and moving are underway.

Also there have been several staff changes recently. Kimyona Hix has filled the Communications Coordinator position, Shara Cross has been hired to fill the Housing Investigator slot in Knoxville. Mr. Richard Sherman, employment investigator in Memphis, Anne Nyanda, Associate Counsel, Leonard Madu, employment investigator and Tara Acton, Housing Investigator in Knoxville are either leaving the agency or have already left.

The Sunset Hearing has been postponed until further notice. Our information is that it could be rescheduled for December but we will be given 10 days notice. We will notify commissioners and hope you will offer your support in attending the hearing.

The agency's Policy and Procedures handbooks are being reviewed and updated, the agency is in the midst of the 4 year Financial Integrity Review that is due on December 31, 2007. Several have asked about duties and powers and I am reviewing the statute and will come back to the November meeting with a written report on my recommendations and timeline.

A sample resolution addressing the EEOC Federal budget being reduced from 33 million to 28 million dollars was provided to board members. IAHORA and other Human Rights agencies have requested that we contact our representatives and register our opinion of the budget reduction. This item will be placed on the November Board meeting agenda.

Commissioner Osborne made a motion to accept the report and Commissioner Jones seconded the motion. A vote was taken and passed.

### **Budget & Audit Report**

Chairman Hakeem reported on the August 20 and the September 28<sup>th</sup> Budget & Audit Committee meetings. The function of the committee was to approve the Performance Audit response prepared by Director Watts and staff and to assist with the Special Investigation by State Audit of a THRC Employment Investigator by responding to their requests for information.

Chairman Hakeem reinforced the importance of Commissioners attending the Sunset Hearing when it is rescheduled. Director Watts reviewed each of the 10 Audit Findings and Recommendations that were provided to the Commissioners prior to the meeting.

Chairman Wiggins thanked the committee for their work on behalf of the Commission. Commissioner Osborne made a motion to accept the report and Commissioner Davis seconded the motion. A vote was taken and passed.

### **Employment Case Report**

Deputy Director, Tiffany Baker Cox reported that since May 18, 2007 278 complaints have been received and 236 cases were closed during the period. The average case age was 182 and this is 2 days over the recommended age of 180 days. Also 8 settlements resulting in \$49,917 in benefits for claimants were realized. When complaints were ranked according to bases Title VII led with 140, followed by 25 Age complaints, and ADA

complaints numbered 23. One case has been caused and 52 cases were administratively closed.

Deputy Cox recognized that numbers and settlement dollars are lower than this time last year and is partially because of the suspension of the Mediation program and the many staffing changes that have occurred recently. It is hoped that the program will be restarted in January of 2008.

Deputy Cox reported that Renee Smith has replaced Mr. Lorenzo Benson, Employment Investigator, who retired in June from the Chattanooga office and that Mr. Richard Sherman, Employment Investigator was hired to replace Mr. Richard Tibbs who passed away. It was also noted that Mr. Sherman has now turned in his resignation leaving that position open in the Memphis office. That is in addition to the Investigator position that is open in the Nashville office.

Investigators received additional training in September and will attend EEOC training in Phoenix next week. Director Watts noted that she will be attending an event designed to promote ADA's cause. The Road to Freedom Tour is coming to the Frist Center in Nashville on November 1, 2007 and noted that it will be stopping in Memphis and Knoxville as well. Commissioner Hakeem and Smith would like to receive information to have the city of Chattanooga included in the tour. Director Watts agreed to provide the requested information.

Commissioner Smith made a motion to accept the report and Commissioner Starling seconded the motion. A vote was taken and passed.

### **Housing Case Report**

Housing Director, Robert Bright, reported that since May 2007, 60 new charges have been received and 42 cases have been closed. He noted that race is still the number one reason that charges are filed and that the goal for the fiscal year is 125 cases. There are currently 83 cases in the housing inventory.

Chairman Wiggins noted that Housing complaints are up 12% nationwide and Commissioner Smith noted that the good news is that the THRC ads are working because the word is getting out to smaller more rural counties about what peoples rights are and how to file complaints.

Commissioner Pierce made a motion to accept the housing report and Commissioner Hakeem seconded the motion. A vote was taken and passed

### **Legal Report**

Shay Rose, General Counsel, reported that legal closed 62 employment cases in August. 49 employment cases and 5 housing cases were reviewed for September. We have one old cause case that is an employment failure to hire case and we are hopeful that a settlement will be reached soon as the employer has agreed to training for staff.

Legal also has 4 pre-cause cases that are pregnancy related, gender issues, national origin (Hispanic). Several cases were settled for monetary benefits and training. It was noted that Deputy Director Tiffany Cox was assisting with Mediation for some cases due to

limited mediators within the agency. Director Watts noted that outsourcing mediation was being reviewed.

Two older housing cases were closed with HUD's approval and are being handled by the Department of Justice due to cases filed in federal court.

The Attorney General's opinion was provided to attendees on the Indian Mascot bill that was passed in May or June of this year has ruled that the bill does apply to THRC. Any complaints received related to this issue would have to be referred to state or federal court.

Ms. Rose reported that the Assistant Counsel position is open and any referrals would be appreciated. Also the THRC Rules changes are on the Secretary of State's website and the agency is set to go before the Government Operations committee soon.

Commissioner Starling made a motion to accept the legal report and Commissioner Jones seconded the motion. A vote was taken and passed.

### **Outreach and Education**

Esperanza Soriano, Communications Director, reported that THRC participated in 25 outreach activities since the start of the fiscal year in association with local agencies and are hoping to increase that number by 5 over the next year. The Annual Report for 2006-2007 is complete and was released yesterday. A newsclipping service is now being used to track discrimination and immigration trends both statewide and nationwide. Those articles are being shared with staff on the H-Drive.

Kimyona Hix has been hired to replace Dyonne Williams as Communications Coordinator. A sponsorship form is being developed to assist with sponsorship requests and where advertising is concerned post it notes for local newspapers and PSA's in movie theaters are being considered for the future.

The Fair Housing Matters conference is scheduled for April 3, 2008 and John Sighthaler Sr. will be the Keynote speaker. This conference will commemorate the 40<sup>th</sup> Anniversary of the Fair Housing Act.

Director Watts noted that Commissioners are invited and encouraged to participate in any outreach event and a calendar is being developed to inform them of places and times. She also noted that advertising dollars are limited and all advertising venues are being closely reviewed in order to make the best commitments. She informed the Commission that Ms. Soriano was involved in jury duty and is in the office only on Fridays for the next several months and thanked the Communications division for their hard work in completing the Annual Report.

Commissioner Smith requested that in an effort to educate Homebuilders and Renters associations about their responsibilities that they be linked to our website. Director Watts agreed to the request.

Commissioner Osborne made a motion to accept the Communications report. Commissioner Starling seconded the motion. A vote was taken and passed.

Chairman Wiggins asked for a motion to accept the Annual Report. Commissioner Osborne made a motion to accept the 2006-2007 Annual Report. Commissioner Pierce seconded the motion. A vote was taken and passed.

With no further business to address, Chairman Wiggins adjourned the meeting at 12:05 a.m.